

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-35 (cancelled).

36 (new). A gaming method comprising:

determining that a first player has made a wager;

determining that a first player has selected one of the game elements from the set of game elements, the one of the game elements known to the first player at the time the one of the game elements is selected;

determining that a second player has made a wager;

Bz determining that a second player has selected one of the game elements from the set of game elements, the one of the game elements known to the second player at the time the one of the game elements is selected;

selecting a winning game element from the set of game elements;

determining a game outcome according to the closeness of the one of the game elements selected by the first player and the one of the game elements selected by the second player to the winning game element; and

determining a payout according the game outcome.

37 (new). The gaming method according to claim 36, comprising:

displaying a set of game elements;

updating the display of the set of game elements to reflect the one of the game elements selected by the first player; and

updating the display of the set of game elements to reflect the one of the game elements selected by the second player.

38 (new). The gaming method according to claim 36, comprising:

determining a game outcome according to the closeness of one of the game elements selected by the first player and the one of the game elements selected by the second player to the winning game element, the one of the game elements selected by the first player and the one of the game elements selected by the second player being different than the winning game element.

39 (new). The gaming method according to claim 36, wherein closeness is defined by at least one of mathematical closeness and physical closeness.

40 (new). The gaming method according to claim 39, wherein the set of game elements are arranged in matrix form, comprising:

B² ✓
determining a game outcome according to the closeness of the one of the game elements selected by the first player and the one of the game elements selected by the second player to the winning game element, the closeness of the game element to the winning game element being determined by a physical dimension in one of a vertical, a horizontal and a diagonal direction.

41 (new). The gaming method according to claim 39, wherein a set of game elements are arranged in a range from first to last, comprising:

determining a game outcome according to the closeness of the one of the game elements selected by the first player and the one of the game elements selected by the second player to the winning game element, the closeness of the game element to the winning game element being determined with the range closed such that the first follows the last.

42 (new). The gaming method according to claim 39, wherein a set of game elements are arranged in a range from first to last, comprising:

determining a game outcome according the closeness of the one of the game elements selected by the first player and the one of the game elements selected by the second player to the winning game element, the closeness of the game element to the winning game element being determined with the range open such that the first does not follow the last.

43 (new). The gaming method according to claim 36, wherein the one of the game elements selected by the first player and the one of the game elements selected by the second player are the same.

44 (new). The gaming method according to claim 43, comprising:
distributing the payout in equal portions to the first and second player.

B2 ✓

45 (new). The gaming method according to claim 36, wherein the one of the game elements selected by the first player and the one of the game elements selected by the second player are different.

46 (new). The gaming method according to claim 36, comprising:
selecting a winning game element from the set of game elements randomly.

47 (new). The gaming method according to claim 36, comprising:
repeating the steps of determining that a first player has selected one of the game elements from the set of game elements, the one of the game elements known to the first player at the time the one of the game elements is selected and determining that a second player has selected one of the game elements from the set of game elements, the one of the game elements known to the second player at the time the one of the game elements is selected; and

terminating the repetition according to one of the number of players, the number of game elements selected, the number of game elements selected duplicatively, the rate at which game elements are selected, and the amount of time elapsed.

48 (new). A gaming method comprising:

determining that each of a plurality of players has made a wager;

determining that each of the plurality of players has selected at least one number from a set of numbers, the at least one number known at the time the at least one number is selected;

selecting at least one winning number from the set of numbers;

determining a game outcome according to the closeness of the at least one number selected by each of the plurality of players to the at least one winning number; and

determining a payout according the game outcome.

B2 49 (new). The gaming method according to claim 48, comprising:

displaying the set of numbers;

updating the display of the set of numbers to reflect the at least one number selected by each of the plurality of players.

50 (new). The gaming method according to claim 48, comprising:

determining a game outcome according to the closeness of the at least one number selected by each of the plurality of players to the winning number, the at least one number selected by each of the plurality of players being different than the at least one winning number.

51 (new). The gaming method according to claim 48, wherein closeness is defined by at least one of mathematical closeness and physical closeness.

52 (new). The gaming method according to claim 51, wherein the set of numbers are arranged in matrix form, comprising:

determining a game outcome according to the closeness of the at least one number selected by each of the plurality of players to the at least one winning number, the closeness of the at least one number selected by each of the plurality of players to the at least one winning number being determined by a physical dimension in one of a vertical, a horizontal and a diagonal direction.

53 (new). The gaming method according to claim 51, wherein a set of numbers are arranged in a range from first to last, comprising:

B.2
determining a game outcome according to the closeness of the at least one number selected by each of the plurality of players to the at least one winning number, the closeness of the at least one number selected by each of the plurality of players to the at least one winning number being determined with the range closed such that the first follows the last.

54 (new). The gaming method according to claim 51, wherein a set of numbers are arranged in a range from first to last, comprising:

determining a game outcome according to the closeness of the at least one number selected by each of the plurality of players to the at least one winning number, the closeness of the at least one number selected by each of the plurality of players to the at least one winning number being determined with the range open such that the first does not follow the last.

55 (new). The gaming method according to claim 48, wherein at least two of the plurality of players select the same at least one number.

56 (new). The gaming method according to claim 55, comprising:

distributing the payout in equal portions to the at least two of the plurality of players.

57 (new). The gaming method according to claim 48, wherein each of the at least one number selected by each of the plurality of players is different.

B2
58 (new). The gaming method according to claim 48, comprising:
L3 selecting a winning number from the set of numbers randomly.

59 (new). The gaming method according to claim 48, comprising:
terminating the determination that each of a plurality of players has selected at least one number from a set of numbers according to one of the number of players, the number of numbers selected, the number of numbers selected duplicatively, the rate of at which numbers are selected, and the amount of time elapsed.
